

County Council Of Howard County, Maryland

2008 Legislative Session

Legislative Day No. **11**

Resolution No. 111-2008

Introduced by: The Chairperson at the request of the County Executive

A RESOLUTION pursuant to Section 4.201 of the Howard County Code declaring that certain real property known as the “Gateway School” comprising approximately 7.768 acres owned by Howard County, Maryland and located at NW Route 108, Clarksville, Maryland is no longer needed by the County for public purposes; authorizing the County Executive to sell the property; waiving the advertising and bidding requirements of Section 4.201 of the Howard County Code; and providing that the County Executive is not bound to sell the property if he finds that it may have a further public use and submits his finding to the County Council for its consideration.

Introduced and read first time _____, 2008.

By order _____
Sheila M. Tolliver, Administrator

Read for a second time at a public hearing on _____, 2008.

By order _____
Sheila M. Tolliver, Administrator

This Resolution was read the third time and was Adopted____, Adopted with amendments____, Failed____, Withdrawn____, by the County Council
on _____, 2008.

Certified By _____
Sheila M. Tolliver, Administrator

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, the County is the owner of real property located along NW Route 108 in
2 Clarksville, Maryland known as the “Gateway School” (the “Property”, as shown in the attached
3 Exhibit A) containing approximately 7.768 acres being part of the property acquired from the
4 Board of Education by deed dated January 29, 2007 and recorded among the Land Records of
5 Howard County, Maryland in Liber 10502, Folio 234; and

6
7 **WHEREAS**, the County originally acquired 8 acres from the Board of Education and
8 later conveyed .232 acres to the State Highway Administration of the State of Maryland for
9 certain improvements along Route 108, leaving 7.768 acres; and

10
11 **WHEREAS**, the County seeks to have the Property redeveloped, with guidance and
12 input from a citizen’s advisory committee, to establish a mixed-use, environmentally conscious,
13 pedestrian-oriented project with public amenities; and

14
15 **WHEREAS**, the County intends to enter into an agreement with a real estate consultant
16 for the purpose of marketing and selling the Property; and

17
18 **WHEREAS**, Section 4.201 “Disposition of real property” of the Howard County Code
19 authorizes the County Council to declare that property is no longer needed for public purposes
20 and authorizes the County Council to waive advertising and bidding requirements for an
21 individual conveyance of property upon the request of the County Executive and after a public
22 hearing that has been duly advertised; and

23
24 **WHEREAS**, the County Council has received a request from the County Executive to
25 waive the advertising and bidding requirements in this instance for the sale of the Property
26 pursuant to the County’s objectives in redeveloping the property.

27
28 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
29 Maryland, this ____ day of _____, 2008, that the Property is no longer needed
30 by the County for public purposes.

1 **AND BE IT FURTHER RESOLVED** that, having received a request from the County
2 Executive and having held a public hearing that was duly advertised, the County Council
3 declares that the best interest of the County will be served by authorizing the County Executive
4 to waive the usual advertising and bidding requirements of Section 4.201 of the Howard County
5 Code for the sale of the Property and to sell the Property pursuant to terms and conditions
6 necessary to accomplish the County's objectives in redeveloping the property as set forth above.

7
8 **AND BE IT FURTHER RESOLVED** that, if the County Executive finds that the
9 Property may have a further public use and that the property interest should not be terminated, he
10 may submit his findings and recommendations to the County Council for its consideration
11 without being bound to sell the Property in accordance with this Resolution.